

**Human Rights Council
Forty-sixth session**

8 March 2021

Agenda item 3

Children and armed conflict

Item 3 – Interactive Dialogue with SRSG on children and armed conflict

Madam President,

[Defence for Children International \(DCI\)](#) welcomes the opportunity to speak on behalf of [Amnesty International](#), [Child Rights Connect](#), [ECPAT International](#), [Human Rights Watch](#), [Save the Children International](#), [Women's World Summit Foundation](#) and thanks the Special Representative of the Secretary-General for Children and Armed Conflict for her report.¹

The number of children affected by armed conflict worldwide has been increasing since 2000. With 69% of all the world's children living in conflict-affected countries², not all children are being afforded the same protection.

While the recruitment and use of children by State forces and non-State armed groups can cause life-long trauma for those who survive; for too many children it is just the prelude of the cycle of violence that will follow often together with other grave human rights violations such as exploitation and abuse, including sexual violence.

International law recognizes children recruited and used by armed groups, including those designated as “terrorist”, as victims of serious violations. According to the [UN Global Study on Children Deprived of Liberty \(GSCDL\)](#)³, every year at least 35,000 children are detained in more than 16 countries for alleged involvement with armed actors.

Ideology is rarely the primary force motivating children's association. However, many countries use the label of “counter-terrorism measures” to justify the arrest and prosecution of children in situations of armed conflict, a trend which has increased fivefold between 2012 and 2017. These children are often detained in appalling conditions based on little or no evidence and often subject to ill-treatment or torture by State authorities or other parties to the armed conflict. Once released, they may face alienation or rejection from their communities, making them susceptible to re-recruitment and other forms of exploitation and abuse.

The listing and delisting of state armed forces and armed groups that commit grave violations against children in the UN Secretary-General's annual reports is a critical tool to hold perpetrators accountable and promote concrete impact through engagement of listed parties on action plans. However, the Secretary-General's 2020 decision to remove the Saudi-led coalition and Myanmar's Tatmadaw

¹ The statement is also supported by [CRIN](#), [Humanium](#), [Warchild-UK](#) and [Watchlist on Children and Armed Conflict](#)

² PRIO (2020): <http://bit.ly/2Zg2pvH>

³ UN Global Study on Children Deprived of Liberty (2019): https://childrendeprivedofliberty.info/wp-content/uploads/2020/09/Full-Global-Study_Revised-Version.pdf

despite evidence of ongoing serious violations has weakened its credibility and threatens to undermine this system for protecting children. Civil society repeats its previous calls for the consistent application of objective and transparent criteria to all parties across all country situations, in order to ensure the credibility of this process.

We therefore call upon:

- *The UN Secretary-General* to initiate a due diligence procedure to ensure that annual report's annexes accurately and consistently reflect the evidence collected and verified by the UN's Monitoring and Reporting Mechanism, and the listing and de-listing criteria are consistently applied, as defined by the 2010 Annual Report.
- *All Parties to conflict* to end the detention of children solely for their actual or alleged association with armed actors.
- *The UN SRSG CAAC* to include a chapter on deprivation of liberty in all her reports monitoring progress in this respect.
- *All States affected by armed conflict* to sign handover protocols and develop robust plans for their implementation to ensure that children victims of grave violations are swiftly transferred to child protection agencies for reintegration, in line with international standards.
- *All States* to amend national counterterrorism legislation to ensure it is consistent with international child protection standards and respect the best interests of the child.⁴

Madam Gamba,

How would you plan to further support the Secretary-General in ensuring an evidence-based list of perpetrators in his annual report on children and armed conflict?

What measures will your office take to address the concerns we have outlined?

⁴ In particular, the UN Convention on the Rights of the Child (UNCRC), the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (OPAC), the Paris principles and the Paris commitments, the UN General Assembly Resolution A/RES/70/291.